



Department of Energy

Portsmouth/Paducah Project Office
1017 Majestic Drive, Suite 200
Lexington, Kentucky 40513
(859) 219-4000

DEC 21 2007

Mark Scott
VP Business Management & CFO
Theta Pro2Serve Management Company, LLC
214 E. North Street
Waverly, Ohio 45690

PPPO-01-368-08

Dear Mr. Scott:

CONTRACT DE-AC24-05OH20193, TRANSMITTAL OF MODIFICATION M022 FOR AWARD FEE

Subject modification establishes the earned fee for the second Performance Evaluation Period (October 1, 2006 through September 30, 2007) and authorizes TPMC to invoice. Modification M022 does not require your signature.

If you have any questions, please contact me at 859-219-4055.

Sincerely,


A handwritten signature in black ink, appearing to read "Robert J. Bell", is written over the typed name.

Robert J. Bell
Contracting Officer
Portsmouth/Paducah Project Office

Enclosure: Contract Modification M022

cc:

J. Gambrell, PPPO/PORTS
J. Klein, PPPO/PORTS
D. Kozlowski, PPPO/PORTS
W. Murphie, PPPO/LEX
C. Sheward, TPMC/Waverly
S. Haynie-Sparks, PPPO/LEX

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE		PAGE OF PAGES 1 of 1																															
2. AMENDMENT/MODIFICATION NO. M022		3. EFFECTIVE DATE See block 16C		4. REQUISITION/PURCHASE REQ.NO. N/A		5. PROJECT NO. (If applicable)																															
6. ISSUED BY U.S. Department of Energy Portsmouth Paducah Project Office 1017 Majestic Drive, Suite 200 Lexington, Kentucky 40513		7. ADMINISTERED BY (If other than Item 6) U.S. Department of Energy Portsmouth Paducah Project Office 1017 Majestic Drive, Suite 200 Lexington, Kentucky 40513		CODE		CODE																															
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Theta Pro2Serve Management Company, LLC 330 East North St Waverly, OH 45690				<input checked="" type="checkbox"/> 9A. AMENDMENT OF SOLICITATION NO. <input type="checkbox"/> 9B. DATED (SEE ITEM 11) <input checked="" type="checkbox"/> 10A. MODIFICATION OF CONTRACT/ORDER NO. DE-AC24-05OH20193 <input type="checkbox"/> 10B. DATED (SEE ITEM 13) 16 March 2005		<input type="checkbox"/> 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS <input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> Is extended, <input type="checkbox"/> is not extended.																															
						Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.																															
						ACCOUNTING AND APPROPRIATION DATA (If required) <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Fund</th> <th>Year</th> <th>Allottee</th> <th>Object Class</th> <th>Program</th> <th>Project</th> <th>Dollar Amount</th> <th>Parent Acct</th> <th>PBS</th> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>		Fund	Year	Allottee	Object Class	Program	Project	Dollar Amount	Parent Acct	PBS																					
Fund	Year	Allottee	Object Class	Program	Project	Dollar Amount	Parent Acct	PBS																													
13. THIS ITEM APPLIES ONLY TO MODIFICATION OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.																																					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: () THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. ITEM 10A.																																					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).																																					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:																																					
X D. OTHER (Specify type of modification and authority) H.21 Award Fee Plan																																					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return ___ copies to the issuing office.																																					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this modification is to establish the earned fee for the second Performance Evaluation Period (October 1, 2006 through September 30, 2007). Earned fee is hereby established as \$431,767.41 for the period. TPMC is hereby authorized to invoice for the remaining portion of earned fee not previously billed under the provision of contract clause B.2 (e).																																					
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)																																	
				Robert J. Bell Contracting Officer																																	
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY: 		16C. DATE SIGNED Dec 21, 2007																															
(Signature of person authorized to sign)				(Signature of Contracting Officer)																																	